



FOR IMMEDIATE RELEASE

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Voting Rights Groups Call on Governor and Legislature to Prepare for Voting Modifications During National Health Crisis

In response to the COVID-19 National Emergency and NYS State of Emergency, the Let NY Vote Coalition releases Framework for 2020 Voter Access Resiliency.

With only one month until early voting begins for New York's presidential primary, the Let NY Vote Coalition is calling on Governor Cuomo and the legislature to prepare for voting during the COVID-19 state of emergency. The coalition is proposing:

- Expanding the availability of vote by mail including streamlining the process for requesting an absentee ballot by making the form available to each voter, allowing any at risk voter to apply for an absentee ballot, and mandating county boards of elections to provide postage prepaid return envelopes;
- Encouraging expansion of early voting locations and operating hours to minimize polling place crowding and waiting times to vote on Election Day;
- Instituting cleaning and preventive measures in line with the CDC Guidance for preventing transmission of COVID-19 at polling places;
- And providing immediate funding to county boards of elections for implementation of emergency measures, including cost of: postage prepaid return envelopes; expanded use and processing of absentee ballots; and, incidentals related to poll site cleanliness and preventative hygiene.

The coalition believes these simple steps can mitigate the risk of COVID-19 and ensure voters have the greatest possible access to the ballot during this difficult time. Let New York Vote's full statement is included in this release.

Currently, New York State's presidential primary and special election is scheduled for April 28th. The Early Voting period for election will be April 18th, 2020 through April 26th, 2020.

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The Let NY Vote Coalition urges Governor Cuomo, the Legislature, and administrators to take the following emergency measures to protect public health and maintain voter access:

1. *Extend* the EL § 8-400 provisions of Executive Order 202.2 to any elections occurring before July 1, 2020, which will advance access, fairness, uniformity, and predictability for voters, administrators, campaigns, and officials.
 - a. Apply the suspension and interpretation of EL § 8-400 (Executive Order 202.2 (1)), allowing the prevalence of COVID-19 “illness” as a basis for any registered voter to request an absentee ballot.
 - b. Streamline the process for requesting an absentee ballot. Obtaining an absentee ballot is currently a multistep process. This can be simplified by allowing for submission of applications in one step by e-mail or fax. To ensure access, extend the absentee request deadline to the day prior to the final day of voting and the absentee return deadline to postmark or return by the final day of voting.
2. *Direct* County Boards of Elections (CBOEs) to provide each eligible voter with an absentee ballot request form, a link to an electronic version of the form, along with notice about the vote-by-mail option ahead of each election event, and the methods for applying.
 - a. Inactive and recently purged voters should receive affidavit ballots if they apply.
3. *Mandate* that CBOEs provide postage prepaid return envelopes with absentee ballot request forms and absentee ballots, for each respective election.
4. *Provide* immediate funding to CBOEs for implementation of emergency measures, including cost of: postage prepaid return envelopes; expanded use and processing of absentee ballots; and, incidentals related to poll site cleanliness and preventative hygiene.
5. *Allow* New York City voters immediate access to online voter registration. The NYC Campaign Finance Board has an existing system for online registration, which would reduce the need for and volume of person-to-person registration efforts. This can be done through immediate enactment of A8473/S6463 or Executive Order.

We further call on NYS Board of Elections to issue enforceable Voter Access Resiliency directives to CBOEs, enlisting them to help advance public health and safety while encouraging all feasible methods of political participation among the voting public, by:

1. Increasing absentee ballot request processing capacity in anticipation of greater volume.
2. Encouraging expansion of early voting locations and operating hours deployed beyond statutory minimums, as permitted by EL § 8-600, as early voting remains an effective tool to minimizing polling place crowding and waiting times to vote on Election Day.
3. Providing a continuity guidance, to be followed as needed, that outlines a process for responsibly reducing the Election Day footprint, including consolidation and reallocation of election districts or polling places and resources, with timely individualized notice to impacted voters so CBOEs may relocate sites away from vulnerable facilities and reduce Election Day staffing needs, while applying resources saved to absentee and early voting capacity. If sites are relocated, plans should ensure the facility residents are able to vote.

4. Instituting cleaning and preventive measures in line with the **CDC Guidance** for preventing transmission of COVID-19 at polling places, including:
 - a. Compliance with social-distancing guidelines of DOH and CDC then in effect, by adequately spacing optical scanners, check-in tables and privacy booths;
 - b. Provide antiviral wipes/gel; instruct voters to clean hands before and after voting;
 - c. Require election inspectors to wear disposable gloves to limit skin contact and to change them frequently, using antiviral wipes or gel upon removal of gloves;
 - d. Per **EAC Guidelines**, regularly wipe down or disinfect voting equipment, surfaces, door knobs and high-frequency touch surfaces within the poll radial;
 - e. Use glue sticks to seal Affidavit Ballot Envelopes;
 - f. Use tempered glass screen protectors for the electronic poll books that can be cleaned more effectively; and
 - g. Provide voters with disposable pens. Provide those who use a touchscreen ballot marking device with cotton swabs or other single-use implement.

Finally, having recognized that the scope and duration of this declared emergency represents a *sui generis* circumstance, **the Let NY Vote Coalition raises the following questions for policymakers and administrators to publicly consider, to help balance public health imperatives with due process, continuity of our democracy, and Voter Access Resiliency:**

1. What is the feasibility of providing every eligible New York voter with a postage paid absentee ballot without request, for each 2020 election? What strain would this place on administrators; can they be overcome with state resources and advanced planning?
2. Alternatively, what can be done to streamline phone or electronic absentee-ballot request processes to eliminate multiple rounds of back-and-forth and expedite ballot delivery?
3. In either case, what can be done to ensure accountability and protect voting rights for New Yorkers who cast ballots by mail? How can absentee requests, ballot delivery, completed ballot receipt, and tabulation be tracked, so paper is accounted for, absentee voting rates are transparent, and voters and the public can be sure that eligible votes are timely received and counted?
4. For any new emergency measures ordered ahead of an election, what publicity and notification efforts shall a CBOE take to ensure the public is aware of voting options and measures taken to ensure public safety? (ie, mailers, PSAs, digital, print, radio ads using media designed to reach a majority of voters).
5. Ahead of an election, what reasonable accommodations shall each CBOE take to ensure adequate disability and language access, for each emergency measure taken?
6. What steps can be taken to enlist CBOEs support in stemming the rise of anti-Asian American and anti-immigrant discrimination related to COVID-19? Could an updated guidance help with spotting, mitigating, and deescalating bias that may impact voters?

7. Since two-thirds of states already permit universal vote by mail, will lawmakers commit to the Second Passage of no-excuse absentee voting on the first day of the 2021 legislative session, to improve our voter access resiliency infrastructure in the future?

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